



HOWARD COUNTY HISTORIC PRESERVATION COMMISSION
ELlicott City Historic District ■ LAWYERS HILL Historic District
3430 Court House Drive ■ Ellicott City, Maryland 21043

Administered by the Department of Planning and Zoning

VOICE 410-313-2350
FAX 410-313-3042

July Minutes

Thursday, July 11, 2019; 7:00 p.m.

The July meeting of the Historic Preservation Commission was held on Thursday, July 11, 2019 in the C. Vernon Gray room located at 3430 Court House Drive, Ellicott City, MD 21043. Mr. Roth moved to approve the June minutes. Mr. Reich seconded. The motion was unanimously approved.

Members present: Allan Shad, Chair; Eileen Tennor, Vice-Chair; Drew Roth, Secretary; Bruno Reich; Erica Zoren

Staff present: Beth Burgess, Samantha Holmes, Lewis Taylor, Kaitlyn Clifford

PLANS FOR APPROVAL

Consent Agenda

1. MA-19-10c – 8358 Main Street, Ellicott City
2. MA-17-05c – 3920 College Avenue, Ellicott City, HO-342
3. MA-18-41c – 12050 Old Frederick Road, Marriottsville

Regular Agenda

4. HPC-19-35 – 7330 Green Drake Road, Elkridge
5. HPC-19-36 – 3877 College Avenue, Ellicott City
6. HPC-19-37 – 8167 Main Street, Ellicott City
7. HPC-19-38 – 1485 Underwood Road, Sykesville, HO-173
8. HPC-19-39 – 8173, 8181, 8185 Main Street, Ellicott City
9. HPC-19-34 – Sidewalks, curbs and gutter in the vicinity of 8267 Main Street to 8411 Main Street to 3880 Ellicott Mills Drive (continued from June 6 meeting). This case will be heard after 8:00 PM

CONSENT AGENDA

MA-19-10c – 8358 Main Street, Ellicott City

Final tax credit approval

Applicant: Kathleen P. Taylor

Request: The applicant, Kathleen P. Taylor, requests final tax credit approval for work that was pre-approved in MA-19-10 for 8358 Main Street, Ellicott City.

Background and Site Description: This property is located in the Ellicott City Historic District. According to SDAT the building dates to 1930. The applicant was pre-approved through the Executive Secretary process in March 2019 to replace the roof.

Scope of Work: The applicant seeks final tax credit approval. The applicant submitted documentation that \$5,270.00 was spent on eligible, pre-approved work and seeks \$1,317.50 in final tax credits. The work complies with that pre-approved and the cancelled checks and other documentation total the requested amount.

Staff Recommendation to the HPC: Staff recommends the HPC approve the application as submitted, for \$1,317.50 in final tax credits.

Testimony: Mr. Shad asked if there was anyone in the audience who wanted to add or correct the case or if there was anyone who wished to testify in opposition of the case. There was no one in the audience who wanted to testify.

Motion: Ms. Tennor moved to approve. Mr. Roth seconded. The motion was unanimously approved.

MA-17-05c – 3920 College Avenue, Ellicott City, HO-342

Final tax credit approval

Applicant: Shelley Wygant

Request: The applicant, Shelley Wygant, requests final tax credit approval for work that was pre-approved in MA-17-05 for 3920 College Avenue, Ellicott City.

Background and Site Description: This property is listed on the Historic Sites Inventory as HO-342. It is not located in the Ellicott City Historic District (it is the first house outside the district boundary). According to SDAT the building dates to 1900. The applicant was pre-approved through the Executive Secretary process in January 2017 to paint the exterior of the structure and make exterior repairs.

Scope of Work: The applicant seeks final tax credit approval. The applicant submitted documentation that \$12,400.00 was spent on eligible, pre-approved work and seeks \$3,100.00 in final tax credits. The work complies with that pre-approved and the cancelled checks and other documentation total the requested amount.

Staff Recommendation to the HPC: Staff recommends the HPC approve the application as submitted, for \$3,100.00 in final tax credits.

Testimony: Mr. Shad asked if there was anyone in the audience who wanted to add or correct the case or if there was anyone who wished to testify in opposition of the case. There was no one in the audience who wanted to testify.

Motion: Ms. Tennor moved to approve. Mr. Roth seconded. The motion was unanimously approved.

MA-18-41c – 12050 Old Frederick Road, Marriottsville, HO-1149

Final tax credit approval

Applicant: Sally Hebner

Request: The applicant, Sally Hebner, requests final tax credit approval for work that was pre-approved in MA-18-41 for 12050 Old Frederick Road, Marriottsville.

Background and Site Description: This property is listed on the Historic Sites Inventory as HO-1149. It is not located in a historic district. According to SDAT the building dates to 1900. The applicant was pre-approved through the Executive Secretary process in September 2018 to replace the smokehouse roof.

Scope of Work: The applicant seeks final tax credit approval. The applicant submitted documentation that \$2,937.14 was spent on eligible, pre-approved work and seeks \$734.29 in final tax credits. The work complies with that pre-approved and the cancelled checks and other documentation total the requested amount.

Staff Recommendation to the HPC: Staff recommends the HPC approve the application as submitted, for \$734.29 in final tax credits.

Testimony: Mr. Shad asked if there was anyone in the audience who wanted to add or correct the case or if there was anyone who wished to testify in opposition of the case. There was no one in the audience who wanted to testify.

Motion: Ms. Tennor moved to approve. Mr. Roth seconded. The motion was unanimously approved.

REGULAR AGENDA

HPC-19-35 – 7330 Green Drake Road, Elkridge

Advisory Comments for subdivision and demolition.

Applicant: Vogel Engineering and Timmons Group

Request: The applicant, Vogel Engineering and Timmons Group, requests Advisory Comments on a proposed new development to be located at 7330 Green Drake Road, Elkridge.

Background and Site Description: This property is not located in a local historic district or listed on the Historic Sites Inventory, but does contain historic structures. According to SDAT the principal dwelling dates to 1904. In addition, there is a historic outbuilding next to the house.

The property consists of 9.06 acres located off Landing Road and is zoned R-ED.

The historic house is a Cape Cod style home with two dormers on the front elevation, each contain 3:1 windows. The front door is covered by a small portico, in which the pediment has decorative flared

ends, matching those found on the dormers. There are two brick additions with a stone foundation on each side of the house.

The carriage house/outbuilding has carriage style doors that are wood 6 light over 3 panels. The windows on the second floor front elevation are 6:1 wood windows.

Scope of Work: The subdivision proposes 18 buildable lots that range from 6,600 square feet to 9,290 square feet in size. The two existing historic structures on site are proposed to be demolished; no structures will be retained. There are three open space lots shown on the plan on Lots 19, 20 and 21. Lot 19 will contain 2.0574 acres of open space, Lot 20 will contain 1.8158 acres of open space and Lot 21 will contain 1.0315 acres of open space. The new development will be located along Green Drake Road, which will be a thruway street connected to Pale Morning Dun Road and Royal Coachman Drive.

The historic house, to be removed, is located where Lot 16 will be built, and the historic outbuilding is located where lot 15 will be built.

HPC Review Criteria and Recommendations: Because this property is not listed on the Howard County Historic Site Inventory, Section 16.118 of the Subdivision and Land Regulations, the Protection of Historic Resources, does not apply.

Per Section 16.603A and Section 16.606(d), Staff recommends the HPC identify all historic resources on the site and provide advice regarding the design of the development.

Testimony: Mr. Shad swore in Robert Vogel. Mr. Shad asked if Mr. Vogel had any comments about the staff report. Mr. Vogel explained that the property owners allowed access for the house to be documented. Mr. Vogel said the property owners agreed to have someone salvage any materials that are of value and desirable. Mr. Shad asked if there had been any consideration to save the house. Mr. Vogel said that they looked at saving the house, but explained that there is a tremendous vertical grade change between the ends of the road and trying to make the connection between the grade was very difficult. Mr. Vogel said that removing the house will make it easier to work through the grade. He said the owners did have a real desire to retain the house.

Mr. Reich asked if the structure was located on the Historic Site Inventory. Mr. Vogel said it was not. Mr. Reich said the house was not an architectural specimen and did not think the community would be losing much with the demolition of the house. Mr. Reich said the house was a typical Cape Cod, but it had been modified a lot.

Mr. Shad asked if there was anyone in the audience that wanted to speak publicly about the case. Mr. Shad swore in Liz Walsh. Councilmember Walsh said the property was within her Council District but that it was not in the Historic District. Ms. Walsh said the property is located on is zoned RE-D and reminded the Commission their comments will be presented to the Planning Board. Ms. Walsh said she wanted to ensure the Commission provides the appropriate subject expertise on the case as the Commission's comments will be heard at the Planning Board as the Commission is the only subject matter experts for Historic Resources.

Mr. Shad said the Commission was concerned about demolition of Historic Resources whether the resource is located within in a historic district or not, as the county is losing more and more historic structures.

Mr. Reich asked if the site plan contains the new grading on the plan. Mr. Vogel said the site plan does contain the new grading. The Commission and Mr. Vogel discussed the grading of the site. Mr. Reich said that the house could almost fit into Lot 16 on the site plan if the lot lines were adjusted and the bio retention pond moved a little bit. Mr. Reich said he did not think the owners considered saving the house as it probably does not fit into the aesthetic they are trying to create. Mr. Reich summarized that the house in question was not an architectural specimen and it was not on the Historic Sites Inventory. Ms. Tennor said she agreed with Mr. Reich's comments. The Commission had no further comments.

HPC-19-36 – 3877 College Avenue, Ellicott City

Certificate of Approval to remove trees.

Applicant: Michael J. Smith

Request: The applicant, Michael J. Smith, requests a Certificate of Approval to remove trees at 3877 College Avenue, Ellicott City.

Background and Site Description: This property is located in the Ellicott City Historic District. According to SDAT, the house dates to 1937.

Scope of Work: The applicant proposes to remove the following trees:

- 1) Remove a 35-inch oak tree that fell.
- 2) Remove a 30-inch neighboring oak tree that was damaged when the 35-inch oak fell.
- 3) Remove 6 trees along Ross Road that appear to be a hazard because they are rooted in an eroding slope and lean into and over the right-of-way and toward the homes on Ross Road.
 - a. 16-inch black cherry
 - b. 16-inch black cherry
 - c. 18-inch black cherry
 - d. 8-inch black cherry
 - e. 6-inch ash
 - f. 6-inch maple

HPC Review Criteria and Recommendations:

Chapter 9.B: Landscape and Site Elements, Trees and Other Vegetation

- 1) *Chapter 9.B states that the following requires a Certificate of Approval: "Removing live trees with a diameter of 12 inches or greater 4.5 feet above ground level."*
- 2) *Chapter 9.B recommends against the "removal of live mature trees, unless it is necessary due to disease or to prevent damage to historic structures."*

The trees along Ross Road are leaning into the right-of-way toward and over the historic homes on Ross Road. In the event that the trees fall or drop limbs, the historic homes would be damaged. The two 16-inch black cherries and 18-inch black cherry are in poor condition as evident by the ivy growing the length of the tree and the sparse canopy. The trees appear choked out with little leaf growth and dead branches are highly visible in the canopy.

The application explains that the 30-inch oak tree, shown in Figure 10, was significantly damaged when the oak tree fell along College Avenue. The photos show that many of the limbs were sheared off the tree when it fell.

Chapter 9.B: Landscape and Site Elements, Trees and Other Vegetation

- 3) *Chapter 9.B states that the following is Routine Maintenance and does not require a Certificate of Approval: "Removing dead or certifiably diseased trees. (An arborist's certificate will be accepted for diseased trees.)"*
- 4) *Chapter 9.B states that the following is Routine Maintenance and does not require a Certificate of Approval: "Removing trees that have a diameter of less than 12 inches 4.5 feet above ground level."*

The 35-inch oak tree that fell is no longer considered a live tree and the removal does not require HPC approval. The 8-inch black cherry, 6-inch ash and 6-inch maple are less than 12 inches in diameter and the removal does not require HPC approval.

Additionally, there are at least a dozen or more dead trees within the wooded area on the side of the property and along Ross Road. The trees have no leaf growth. If desired, the removal of these trees would also fall under Routine Maintenance.

Staff Recommendation to the HPC: Staff recommends the HPC approve the removal of Item 2, the 30-inch damaged oak, and the removal of Items 3a, 3b and 3c the three black cherries along Ross Road (two 16-inch dbh and one 18-inch dbh).

Testimony: Mr. Shad swore in Michael Smith. Mr. Shad asked if Mr. Smith had any comments on the staff report. Mr. Smith reiterated that a large oak tree fell and damaged several adjacent trees during its fall. Mr. Smith explained that his neighbors are concerned with other trees that are growing along Ross Road and leaning in the direction of the neighbors' homes, vehicles and property.

Mr. Shad asked if any trees had fallen along Ross Road recently. Mr. Smith said there have not been any trees along Ross Road that have fallen, but they have had other neighbors request removal in this area in the past when the trees weren't leaning as much as these are now. Mr. Reich said the area is heavily forested and removing the trees requested in the application will not affect the aesthetic of the area. Ms. Zoren said she agreed with staff recommendations. Mr. Roth agreed.

Motion: Mr. Reich moved to approve the application as submitted. Mr. Roth seconded. The motion was unanimously approved.

HPC-19-37 – 8167 Main Street, Ellicott City

Certificate of Approval to install signs.

Applicant: Douglas Thomas c/o Navia LLC

Request: The applicant, Douglas Thomas, requests a Certificate of Approval to install a sign at 8167 Main Street, Ellicott City.

Background and Site Description: This property is located in the Ellicott City Historic District. According to SDAT, the building dates to 1987. The building has two existing awnings, on which the tenant has had the business and logo installed. This change to the awnings was not approved by the HPC. The previous text on the window awning was painted over in black and the new business name was painted on it in white. The previous text is visible on the awning. These alterations require approval.

Scope of Work: The applicant proposes to install a double-sided projecting sign on the existing black metal bracket. The sign will be 33.1" inches high by 28 inches wide for a total of 6.4166 square feet. The

sign will have a white background with black text and an orange graphic. The sign will read on three lines, with the building address above the business name:

8167

Umi

Sushi

HPC Review Criteria and Recommendations:

Chapter 11.A: Signs, General Guidelines

1) Chapter 11.A recommends:

- a. *"use simple, legible words and graphics."*
- b. *"keep letters to a minimum and the message brief and to the point."*
- c. *"use a minimum number of colors, generally no more than three. Coordinate sign colors with the colors used in the building façade."*

The signs comply with recommendations A-C above as the signs will contain the name of the store in a readable script and will contain three colors; black, white and orange.

2) Chapter 11.A recommends:

- a. *"use historically appropriate material such as wood or iron for signs and supporting hardware."*

The sign will be hung on an existing black metal bracket, which complies with the Guidelines. The proposed sign material is listed as composite, but Staff believes the material may be an HDU, high density urethane sign. While this sign material is not wood, it is more durable than a typical MDO plywood sign as it is resistant to warp and rot, and has the ability to be sandblasted, whereas the typical MDO plywood sign does not. Staff has emailed the applicant regarding the material is waiting for confirmation on this item.

Chapter 11.B: Signs, Commercial Buildings

3) Chapter 11.B recommends against:

- b. *"two signs where one is sufficient to provide an easily visible identification of the business."*

The proposal to install the projecting sign does not comply with the Guidelines as the signage on the awnings, which was installed without approval, are signs. Therefore, the proposed projecting sign would be the third sign on the building.

The alterations made to the window awning would not have complied with the guidelines as the previously existing text is visible through the paint. The awning should be replaced in-kind, to match the previously existing black awning, or removed entirely. A new style of awning could also be considered, but an application would be needed. If the awnings are removed, approval of the projecting sign would comply with the Guidelines.

- 4) *Chapter 11.B recommends, "limit the sign area to be in scale with the building. Projecting or hanging signs of four to six square feet are appropriate for many of Ellicott City's small, attached commercial buildings."*

The projecting sign will be 6.4166 square feet, which complies with the Guideline recommendation to be limited in size to four to six square feet.

Staff Recommendation to the HPC: Staff recommends the HPC recommend the applicant withdraw the application and return with a complete application for all alterations made and for any other proposed alterations. Alternatively, Staff recommends the HPC approve the proposed projecting sign contingent upon the applicant removing the awnings.

Testimony: Mr. Shad swore in Doug Thomas. Mr. Shad asked if Mr. Thomas had any comments about the staff report. Mr. Thomas introduced Qing Lin, the owner of Umi Sushi and his daughter Michelle Lin. Mr. Thomas said Ms. Lin is in high school and designed the logo for the sign. Mr. Shad swore in Michelle Lin and Qing Lin. Mr. Shad asked if Mr. Lin or Ms. Lin had any comments about the staff report.

Mr. Thomas said Mr. Lin painted over what was previously there without knowledge that he needed the Commission's approval to do so. Mr. Thomas would like to proceed with the application without having to remove the awnings if possible.

Mr. Reich explained the Commission generally approves one sign per business and the applicants were proposing three signs. Mr. Reich asked the applicants to pick which sign they would like to have approved. Mr. Reich explained that the Commission does not want Main Street to be cluttered with signs. Mr. Lin said he understood and only wanted to put up their business name.

Ms. Tennor said the problem with the painted awning is that the previous business name is still visible under the paint. Mr. Reich suggested the applicants re-cover the old awning frame with new material and then install the new sign. Ms. Tennor suggest the applicants install the new sign as proposed on the armature perpendicular to the sidewalk.

Mr. Reich asked if the sign complies with the Commission's size requirements. Ms. Zoren said the sign is a little bit over the size requirement as the sign is at 6.4 square feet and the Guidelines state 6 square feet total. Mr. Roth said the design of the sign is very attractive. Ms. Tennor said she agreed with Mr. Roth that the printed sign should not be altered.

Ms. Burgess brought the printed sign closer to the Commission members, so the Commission could better assess the sign material. The sign was constructed of a sturdy material and appeared to be some type of high density foam between the sign boards. The applicants did not know what the material was. Ms. Burgess said the material provided a thickness to the dimensions of the sign. Ms. Tennor asked how the sign would be installed on the armature. Mr. Thomas said holes would be drilled into the sign and the applicants would add chains to hang the sign from the armature. Ms. Holmes said there are DILP height restrictions for clearance above the sidewalks, and there must be 10 foot clearance underneath the sign. Ms. Holmes suggested the applicants check with DILP, since the Guidelines are only referencing the Sign Code.

Mr. Reich asked what the applicants thought about the Commission's suggestion of cleaning up the awnings so that the old text was no longer visible and only hanging the sign. Mr. Taylor asked if the applicant agreed to covering the awnings with no writing and hanging the sign. Mr. Lin said that would be fine.

Mr. Taylor asked if it was the Commission's view that the sign before them looked like a wood sign. The Commissioner's discussed the types of wood signs they have approved, such as wood signs with vinyl coatings. Mr. Roth said the proposed material is some kind of foam, but he does not know if the

Commission has seen it before. Ms. Tennor stated that the Commission has seen high density foam before, which has great stability and is almost undistinguishable from MDO plywood. Ms. Tennor said that the proposed material is different than high density foam or it is a different kind of high density foam. Ms. Holmes asked if the Commission could tell the difference of material if the sign was hanging from 10 feet in the air. Ms. Tennor and Mr. Shad said they probably could not tell the difference. Ms. Holmes said due to the thickness of the material, the sign resembles wood with a ½ inch depth and said it is very similar to a MDO sign wrapped with a different material on the face. Mr. Roth asked if there was some way to approve the application with the condition that if the sign was not durable, that it would need to be fixed or replaced.

Mr. Reich pointed out that the proposed sign material is probably more durable than MDO. Mr. Taylor asked the applicants if they would agree to replace the sign if the material deteriorates. Mr. Lin agreed. Ms. Tennor said the Commission asked for this request as the material is new to them.

Motion: Mr. Roth moved to approve the sign presented before the Commission, and to require the existing awnings be replaced or painted over so that they are unmarked awnings with no visible lettering. If the sign before the Commission deteriorates sooner than a comparable wooden sign, because the Commission is unfamiliar with the material, the sign will be replaced with one with a material with a proven track record. Mr. Zoren seconded. The motion was unanimously approved.

HPC-19-38 – 1485 Underwood Road, Sykesville, HO-173

Tax Credit Pre-Approval for repairs.

Applicant: Ann H. Jones (Indian Cave Farm LLC)

Request: The applicant, Ann H. Jones, requests tax credit pre-approval to make repairs to the historic house at 1485 Underwood Road, Sykesville.

Background and Site Description: This property is partially listed on the Historic Sites Inventory as HO-173, Hood Family Cemetery. The Inventory form briefly mentions that the 19th century house (circa 1880) replaces an 18th century house on the property, but otherwise contains information on the Hood Family Cemetery. Staff plans to update the Inventory form to better reflect the historic structures on-site, and have the property re-adopted on the Historic Sites Inventory list.

Scope of Work: The applicant proposes to make the following general repairs to the historic structure:

- 1) Repair masonry on the chimneys and repair flashing.
- 2) Repair windows, including frames and sills.
- 3) Remove asbestos shingle siding, and depending upon the condition of the German lap siding under the asbestos, paint the siding. If the existing German lap siding is not salvageable, the applicant will return with a new application for a replacement material.
- 4) Remove current small front porch and replace with porch as shown in older photos. This would be a wood porch, with a wood floor.
- 5) Hire an architect and contractor to determine the original details that can be repaired or restored and assess structural integrity. The architect and contractor will also assist in the determination of what is salvageable, and what is suitable for an in-kind replacement.
- 6) Exterior trim repairs, windows sills, door jambs, fascia and soffit wood restoration.
- 7) Maintain the physical integrity – structural work, repair or restore rotted foundation sills, framing, rafters.
- 8) Waterproof and install proper drainage around the house.

- 9) Repair or replace metal roof. Add gutters and downspouts. The current roof is metal, which is in-keeping with most farmhouses in the area. However, the old photo of the house shows a shingled roof. The applicant would rely upon guidance from the architect and contractor to determine the best replacement for the metal roof if the existing roof cannot be salvaged.

Staff Comments: The restoration of the building (interior and exterior) would qualify for both Historic Property Tax Credits for 20.112 and 20.113. Not all work would be eligible for 20.112, but most should be eligible for 20.113, which can include more of the interior, in addition to the exterior and any potential structural issues. The County Architectural Historian documented the building in April 2018 and March 2019 and Staff reviewed the photos taken at this time. The building is deteriorated on the interior and exterior as it has not been lived in for years.

Exterior of House

Windows – It is unknown how many windows are on the structure and if any of them can be repaired, versus needing to be replaced. The paint is worn from the windows, so prior to being boarded up, they were exposed to the elements without the protection of paint. The windows should be pictorially documented and inventoried, with the specific replacement noted for each window. Most of the windows appear to be 2:2 as shown from the historic photos and current interior photos, but there are some unique windows such as the round arched windows in the attic. One window visible on the rear of the main structure is a 9:6 with missing shutters (the hinges appear to be on the frames still). The windows are all wood, are quite large and not a standard size (on the main structure), so any replacement windows will need to be custom made. There is a rear ell with windows of a different pattern and size than on the main house. Any replacement should replicate the material, dimensions of profile of the current window muntins, frames and related details, but the existing details need to be documented first. The wood window frames are deteriorating and need to be repaired and/or replaced. The in-kind repair or replacement of windows and frames would qualify for both tax credit programs. The additional information needed on existing conditions can be submitted as the applicant obtains the information, or at the time of the final tax credit claim.

Roof – The application proposes to repair or replace the metal roof, and references a historic photo showing a wood shingle roof. The exact repairs to the metal roof are not specified, nor are the details of a replacement metal roof. The existing metal roof is an inverted v-crimp roof. There are a lot of nail holes through the metal roof, which show that it was not installed correctly. It would be more typical to see a standing seam metal roof on this style of house. The repair or in-kind replacement would qualify for both tax credit programs. If the applicant decides to use a standing seam metal roof, the Commission could provide guidance on the proper seam height and type, spacing of seams, and color options and a future application could qualify for processing through the Executive Secretary 5-day process.

Siding and Trim – The siding is currently wood German lap covered with asbestos. The condition of German lap is unknown, but according to the Architectural Historian, it may not be salvageable as the building was likely painted once when constructed and then covered with asbestos after the wood deteriorated. Replacement should be with wood of the same German lap profile and width, but the width is unknown. The removal of the asbestos and the in-kind repair or in-kind replacement of the German lap would qualify for both tax credit programs. The additional information needed on existing conditions can be submitted as the applicant obtains the information, or at the time of the final tax credit claim. The general repair or in-kind replacement of wood of any trim, such as window sills, door trim, fascia and soffits would also be eligible.

Porch – The porch shown in the historic photos no longer exists on the building, but the applicant is interested in reconstructing it. Currently the front of the house contains a small portico with a triangular

pediment. In order to approve the reconstruction of the porch, the Commission will need to see detailed elevation drawings showing the proposed alteration, and will need to know what the small details look like, such as the handrail, bottom rail, columns and base, flooring (will tongue and groove be used?).

Chimney – Photographs of the exterior of the house show significant deterioration of the two brick chimneys. One of the chimney has lost the top four decorative courses (possibly more as the view from the front appears to have additional brick courses not visible from the rear), so they no longer are identical. Each chimney appears to have missing bricks and mortar and do not have a cap or crown. There does not appear to be any flashing around the base of the chimney at the metal roof and instead appears to be some type of cementitious parging. The needed repairs to the chimney (repointing, rebuilding, flashing, addition of cap and crown) are eligible for both tax credits programs. Any rebuilding of the missing courses should use a brick to match the existing in color and dimension.

Foundation – The house has a stone foundation that is visible approximately 1 to 2.5 feet above grade, which needs to be repointed. The repointing, using an appropriate color and type of mortar, would be eligible for both tax credit programs. The applicant also proposes to waterproof and install proper drainage around the house, which could be eligible for the tax credits dependent upon receipt of additional information explaining how the drainage would be achieved. If the land around the house is being minimally regraded to allow a pitch away from the house, that work could be approved.

Interior of House

There is significant damage to the interior of the house, as shown in the photos below. The plaster walls need to be repaired and while the wood floors generally appear in good condition, the Architectural Historian notes that some areas of flooring are buckling and warped. The repairs required to make the interior of the house habitable are unknown, but given the current condition of the interior, these repairs would be eligible for the 20.113 tax credit. General in-kind repairs to the interior, such as refinishing of the wood floors and repair of plaster walls would qualify for the 20.113 tax credit. This tax credit cannot be processed online in the same manner as the 20.112 tax credit, so once a comprehensive list of repairs is developed, the applicant should submit a new application to the Commission.

Staff Recommendation to the HPC: Staff recommends the following:

- 1) The HPC pre-approve the in-kind repair and replacement for Items 1, 2, 3, 5, 6 and 9, contingent upon further documentation of the existing conditions as explained above. Staff recommends the HPC pre-approve minimal regrading to achieve a proper pitch away from the house for drainage.
- 2) The HPC request detailed drawings for Item 4 and consider it in a future application for 20.112 and 20.113 tax credit pre-approval.
- 3) The HPC request additional information on Item 7 and 8, the needed structural repairs, waterproofing and drainage, regarding what the repairs entail and consider them in a future application for 20.112 and 20.113 tax credit pre-approval.

Testimony: Mr. Shad swore in Ann Jones. Mr. Shad asked if she had any additional comments to add to the staff report. Ms. Jones explained that the farm has been in her family since 1743. Ms. Jones submitted a historic picture of the house for the Commission to review. Ms. Jones explained that the house has almost no electricity, never had plumbing and was heated with woodstoves. Ms. Zoren said she liked the idea of Ms. Jones going back to the original porch design, as it fits the house better. Ms. Zoren asked for clarification on Figure 16, which shows a shingle siding that was not mentioned in the staff report, to make sure that it was covered in the approval. Ms. Holmes said the siding was on a rear

addition, on the ell, and it was a different siding material. Ms. Zoren said she wanted to make sure the shingle siding was pre-approved. Ms. Holmes said that the Commission should consider preapproving the repair or in-kind replacement of the wood shingles to match the existing.

Ms. Holmes clarified that for the tax credits, the architect should itemize their time as related to the items pre-approved, so that it is clear what work is eligible.

Mr. Reich asked for clarification on a comment in the report regarding the roof. Ms. Holmes said the roof is currently an inverted v-crimp and has a large number of nail holes in the roof. She said that in some of the historic photos it appears the roof was a wood shingle roof. The Architectural Historian thought the metal roof may have been installed quickly. Mr. Reich said a lot of Howard County farm houses ended up with hand seamed terne metal roof, copper bearing steal or light coated copper. Mr. Reich asked Ms. Jones if she planned to replace the roof. Ms. Jones said she was planning on replacing the roof; the pictures she has depicted the roof previously was some kind of a shingle roof. Mr. Reich said a shingle roof replacement would be appropriate as well.

Mr. Shad asked if there was any one in the audience that would like to speak on this case. There was no one in the audience that wished to speak.

The Commission and staff discussed how to formulate a motion and which items could be approved. Mr. Reich specified that the will pre-approve everything except for Items 4, 7 and 8 and ask her to come back when she has more information on those items.

Motion: Mr. Roth moved to pre-approve tax credits for Items 1, 2, 3, 5, 6 and 9 and repair or replacement in-kind of the shingles on the ell on the rear.

- 1) Item 1 - Repair masonry on the chimneys and repair flashing.
- 2) Item 2 - Repair windows, including frames and sills.
- 3) Item 3- Remove asbestos shingle siding, and depending upon the condition of the German lap siding under the asbestos, paint the siding. If the existing German lap siding is not salvageable, the applicant will return with a new application for a replacement material.
- 4) Item 5 - Hire an architect and contractor to determine the original details that can be repaired or restored and assess structural integrity. The architect and contractor will also assist in the determination of what is salvageable, and what is suitable for an in-kind replacement.
- 5) Item 6 - Exterior trim repairs, windows sills, door jambs, fascia and soffit wood restoration.
- 10) Item 9 - Repair or replace metal roof. Add gutters and downspouts. The current roof is metal, which is in-keeping with most farmhouses in the area. However, the old photo of the house shows a shingled roof. The applicant would rely upon guidance from the architect and contractor to determine the best replacement for the metal roof if the existing roof cannot be salvaged.

Mr. Reich seconded. The motion was unanimously approved.

HPC-19-39 – 8173, 8181 and 8185 Main Street, Ellicott City

Certificate of Approval for exterior alterations.

Applicant: Donald R. Reuwer, Jr.

Request: The applicant, Donald R. Reuwer, Jr., requests a Certificate of Approval to make exterior alterations to the buildings at 8173, 8181 and 8185 Main Street, Ellicott City.

Background and Site Description: These buildings are located in the Ellicott City Historic District. According to SDAT the building located at 8173 Main Street dates to 1890 and the buildings located at 8181 and 8185 Main Street date to 1900 (while SDAT has different dates, these buildings were all likely constructed at the same time given the architectural details).

Scope of Work: The applicant proposes to make the following exterior alterations to the rear of the building on the first floor:

- 1) Enclose basement windows using stone to match existing foundation walls.
 - a. 8185 Main Street – Remove two windows from the rear of the building and enclose with stone. The window openings are historic, but the windows appear to be vinyl replacement windows. The windows are currently visibly broken from the 2018 flood.
 - b. 8181 Main Street – Remove four vinyl 1:1 windows from the side of the modern addition and enclose the first floor of the addition with stone. Enclose the back window openings with stone. The back windows were fixed picture windows or casement and the side windows were vinyl. Currently these window openings are boarded up.
 - c. 8173 Main Street – Enclose boarded up window openings on the rear of the building with stone. The windows were destroyed in the 2018 flood. Enclose one small 3 light wood window in the alley with stone.
- 2) Replace lower level doors with MPI steel doors. The doors are not flood doors, but are proposed for use for flood mitigation.
 - a. 8185 Main Street – Remove existing wood door and replace with flush steel door. The door opening is historic, but the door itself, while wood, is not historic and is a replacement door.
 - b. 8181 Main Street – Replace existing aluminum 2 light over 4 panel door from modern addition and install flush steel door. The existing door is not historic; it is located on a modern addition and has been replaced at least two times already after the 2016 and 2018 floods.
 - c. 8173 Main Street – Replace plywood hinged door on the rear of the building with flush steel door. The 2018 flood destroyed the previously existing door.
- 3) Install a stone veneer wall on the rear first floor addition. Stone will be added to cover the plywood.

HPC Review Criteria and Recommendations:

Chapter 6.G: Rehabilitation and Maintenance of Existing Buildings, Entrances

- 1) *Chapter 6.G states that the following is considered a Possible Exception: “Many historic buildings have secondary entrances not visible from streets or other properties. Where these entrances already have a modern replacement door, a new door does not necessarily need to be of a historically appropriate style.”*
- 2) *Chapter 6.G recommends against, “using flush doors without trim or panels, or doors with small window or staggered glass openings on historic buildings or on nonhistoric buildings in a highly visible location.”*

The existing doors on all three buildings are not historic doors; they appear to have all been replaced due to damage from the 2016 and 2018 floods. The location of the doors is not highly visible as they are located on the rear of the building, facing the stream channel and are only accessible via a narrow alleyway. The use of a flush, steel, nonhistoric style door would be appropriate in this situation and complies with the Guidelines because the location is not visible from the public right-of-way and the doors that exist on the building are modern replacement doors. This type of steel door was approved for

use at 8141 and 8143 Main Street, but looked slightly different as those doors had glass lights and were not solid flush doors.

Chapter 6.H: Rehabilitation and Maintenance of Existing Buildings, Windows

- 3) *Chapter 6.H recommends against, "Removing, adding or altering a window opening on a building's primary façade or in any location where it affects historic features key to the building's character."*
- 4) *Chapter 6.H recommends, "replace inappropriate modern windows with windows of appropriate style. If documentary evidence of the original windows is available, choose new windows similar to the original. Otherwise, select windows appropriate to the period and style of the building."*
- 5) *Chapter 6.H recommends, "restore window openings that have been filled in, using physical, pictorial or documentary evidence to accurately restore the building's historic appearance."*

The windows to be filled in with stone will be located on the back of the building, facing the stream channel and are not located on a primary façade. While two of the buildings contain historic window openings, none of the windows are historic. The 3-light wood alley window on 8173 Main Street, while an original window, is not a character defining feature. The filling in of the windows at this location will not affect historic features key to the building's character, but the window style and characteristics should be documented in the event that restoration is one day possible, to comply with the Guidelines. The window sills and lintels should remain untouched and only the openings filled in. While the infill stone will be compatible with the historic foundation stone, it will not blend seamlessly, and the outline of the windows will be visible, leaving the possibility to remove the stone if possible one day. This area is low lying and close to the stream and is susceptible to flood waters.

Chapter 7.B.2: New Construction: Additions, Porches and Outbuildings, Materials

- 6) *Chapter 7.B recommends, "use materials compatible with the existing building for the exposed masonry foundation or piers of a new porch. Poured concrete or concrete block foundations or piers should be given a surface treatment compatible with historic building materials."*

The proposal to veneer the plywood on the rear addition of 8181 Main Street with stone complies with the Guideline recommendations as stone is a compatible material with the existing building and neighboring historic buildings. The construction method is unclear from the application, but the plywood is currently rotting and should not be veneered, nor would the plywood with a stone veneer be sufficient protection against flooding and debris. A new exterior wall, such as concrete block, should be constructed and then the stone veneer added. The application shows an example of what the filled in windows would look like from the work done at Tersiguel's, but does not contain a spec for the proposed wall at 8181 Main Street. Figure 32 shows the neighboring historic stone foundation wall at 8173 Main Street. The new wall at 8181 Main Street should be compatible in size and color of stone and mortar with the historic wall at 8173 Main Street.

Staff Recommendation to the HPC: Staff recommends the HPC approve the application as submitted, contingent upon proper documentation of the historic alley window for potential restoration, and matching the size and color of stone and mortar for the new wall veneer.

Testimony: Mr. Shad swore in Don Reuwer. Mr. Shad asked if Mr. Reuwer had anything to add to staff comments. Mr. Reuwer said he did not. Mr. Reich said staff had questions about the stone veneer. Mr. Reuwer said he thought the staff comments made sense to pull the plywood off the building and put up some kind of block first before applying the stone to the building façade.

Mr. Reich said the current enclosures will be replaced with 16 gauge steel doors with steel reinforcement and solid fill. Mr. Reuwer confirmed and said the door would require 3 bolts and hopefully would withstand a flood.

Ms. Tennor asked if the plan was to replace the wood siding with the stone veneer on the addition on the rear of the building and have the stone veneer go to the height of the wood siding above it. Mr. Reuwer said he would match the stone veneer to height of the adjacent stone foundation and fill in with wood siding.

Mr. Reich asked if the infill on the windows would appear as infill and not get toothed in to the other masonry. Mr. Reuwer said he plans to replicate what Tersiguels had done on the side of their building, showing that a window had existed. Ms. Zoren asked if the head and sill will remain on the historic openings. Mr. Reuwer confirmed those would remain. Ms. Zoren asked if the stone proposed on the addition in the back of the building would match as closely as possible to the neighboring stone foundation. Mr. Reuwer said he would be using the same stone mason Terisguel's had used and using the same materials that were on Mr. Reuwer's property.

Ms. Tennor asked staff what clarifications they are looking for on the alley window. Mr. Taylor said staff is asking for proper documentation of the windows. Ms. Burgess suggested the applicant save the window in the attic if possible rather than throwing it out in case mitigation was resolved and the window could be re-installed.

Mr. Shad asked if there was anyone in the audience that would like to comment on the case. There was no one in the audience that wished to comment.

Motion: Mr. Reich moved to approve the application as submitted per staff recommendations. Ms. Tennor seconded. The motion was unanimously approved.

HPC-19-34 – Sidewalks, curbs and gutter in the vicinity of 8267 Main Street to 8411 Main Street to 3880 Ellicott Mills Drive (continued from June 6 meeting) – this case will be heard after 8:00 PM

Certificate of Approval for exterior alterations.

Applicant: Howard County Department of Public Works

Request: The applicant, Howard County Department of Public Works, requests a Certificate of Approval to replace flood damaged sidewalks and cast-in-place curb and gutter in the vicinity of 8267 Main Street to 8411 Main Street, to 3880 Ellicott Mills Drive.

Background and Site Description: The proposed locations for sidewalk and cast-in-place curb and gutter installation are in the Ellicott City Historic District. There are a variety of historic buildings fronting the sidewalks.

The application explains that after the July 30, 2016 and May 27, 2018 floods, the County replaced damaged sections of sidewalk with asphalt as a temporary measure until a longer-term rebuilding strategy could be identified as part of a master planning process. The applicant received Advisory Comments from the Commission for the sidewalk replacements in May 2019. The Commission made the following recommendations and suggestions:

- Install brick sidewalks to comply with the Guidelines and maintain historic feel.
- Set the bricks in concrete to assist with stability.
- Use granite curbs.

- Smaller concrete scoring patterns would be advantageous for access to utilities.

This application was continued from the June 6, 2019 HPC meeting. At the June meeting, the Commission requested additional information on the existing conditions and materials of the sidewalks and curb and gutter and the conditions prior to the floods regarding which sections of sidewalk were brick or concrete, and which sections of curb and gutter were granite before the floods.

Scope of Work: The applicant proposes to replace the flood damaged sidewalks with concrete in the following two patterns:

- 1) Single Lateral scoring with the following options:
 - i. With a 12 to 18-inch new concrete joint against the building front in the locations that are currently paved in asphalt.
 - ii. With a 12 to 18-inch existing concrete joint against the building front in the locations that are currently paved in concrete.
 - iii. Without a joint for the narrower sidewalks.
- 2) London Paver scoring

The applicant also proposes to replace the curb and gutters with a new cast-in-place curb and gutter, where needed. The concrete sidewalks and curb and gutter will be tinted to avoid a bright white appearance and are proposed to match the color used in the sidewalks on Court Avenue, and will contain: concrete admixtures and surface treatments, carbon black, liquid, 2 to 8 pounds per bag of cement.

Regarding the proposed sidewalks, the application states:

“The two scoring patterns will include a “London Paver” pattern for unique focus areas such as in front of the Welcome Center and along the [proposed] open channel on lower Main Street, and a simple lateral score line for most of the street (as currently exists in several areas).

At the Visitor Center (8267 Main Street) location, the application contains drawings with two possible options. The applicant’s preferred option is to use a London Paver scoring pattern in front of the Welcome Center, but shows an alternate option using the single score line if uniformity with the Main Street sidewalks is desired.

The single lateral scoring pattern and its various options will be used in different areas, depending on the existing conditions (width of sidewalk and existing material), as shown on the map in Figure 15 below. In areas where the sidewalks are currently concrete, a 12 to 18-inch band of existing concrete will remain at the building face, with a joint between the new and existing concrete. The application explains that this will minimize disturbance adjacent to the building and allow for future repairs without having to impact the pavement immediately adjacent to the building. For areas of sidewalk installation that are currently asphalt, a new concrete joint is proposed at 12 to 18-inches from the building façade to allow for the clean replacement of a panel in the future for maintenance work without creating an impact to the pavement immediately adjacent to the building. Both scenarios will contain the same 12 to 18-inch joint to match.

Regarding the proposed use of cast-in-place curb and gutter, the application states:

“The concrete curb and gutter is a continuous pour with more integral strength to protect the sidewalk from being undercut by flood waters that could dislodge granite curb segments. A granite curb (where it adjoins the adjacent asphalt) is less scour resistant.

The application contains the following explanation regarding the Master Plan process and explanation stating why concrete is proposed as the replacement material:

“The master planning team, including two water resource firms (RK&K and Land Studies) closely coordinated with McCormick Taylor who developed the 2D flood models and the Hydraulic and Hydrology Study for the County. Through modeling, the master planning team and McCormick Taylor determined that a continuous pour material, such as concrete, is a more flood resilient material than unit pavers, such as brick, particularly when factoring in the high velocities of the flood waters and the associated shear stress created.”

The application explains that the modeling showed that many locations were not suitable for brick based on the shear stress that was modeled. The master planning team explored using brick in some areas and concrete in others, but recommended against this approach, which would have resulted in a less unified streetscape. The application explains that the planning team also concluded that until significant flood mitigation measures that reduce shear stresses can be put in place, concrete paving is the appropriate and responsible choice when considering resiliency. The application notes that the “shear stress map and paver suitability map was based on the 100-year storm (over 24 hours), but the flash floods experienced in 2016 and 2018 were more intense over a shorter duration (July 2016 was 6.6 inches in 3.55 hours – equivalent probability exceeds the NOAA Atlas 1,000-year event for Ellicott City). The application explains that the May 2018 storm had brick pavers damaged in areas where the 100-year shear stress map had indicated pavers could work. For example, the brick pavers in front of Tersiguel’s were shown as an appropriate location based on the 100-year shear stress map, but the pavers were damaged in the flood and did not remain in place. The application contains photos of lower Main Street sidewalks, which are concrete with a single lateral score. These sidewalks are located in a high stress area and were not destroyed in the two floods.

The application also explains that the proposed concrete sidewalks can make flood proofing more effective for adjacent buildings based on the Army Corps of Engineers *Nonstructural Flood Study for Ellicott City, MD*. The application contains photos that show the brick pavers contributed to debris that clogged the storms drains in the 2016 and 2018 floods. The application contains photos from the 2016 and 2018 floods showing examples of how the brick sidewalks scoured out and were destroyed, but concrete sidewalks remained intact.

HPC Review Criteria and Recommendations:

Chapter 9.D: Landscape and Site Elements; Walls, Fences, Terraces, Walkways and Driveways

- 1) *Chapter 9.D states, “The most appropriate design and materials for new walls, driveways and other features depends on the specific context. As a rule, they should be simple in design and require minimal changes to the existing topography and natural features. Simple designs will be consistent with historic Ellicott City structures and help new elements to blend with their context...Whenever possible, the materials used should be those used historically in the particular area of the district, especially for features that will be readily visible from a public way.”*

The concrete sidewalks are proposed for the specific context of flood resiliency. The proposed sidewalks will be simple in design. As shown in the historic photos in Addendum A, concrete sidewalks have been used historically along Main Street.

Chapter 10.A: Parking Lots, Public Streets and Street Furniture; Paving Materials and Street Design

- 2) Chapter 10.A states, "A variety of paving materials can be used as alternatives to asphalt or concrete. The brick sidewalks and crosswalks used along portions of Main Street blend well with the mix of historic building materials. Granite pavers or stone walks would be in keeping with the early Ellicott's Mills period of the historic district's growth. During the later Ellicott City growth period (mid to late 19th century) granite curbs with asphalt block and London Walk pavers would have been used. Use of materials such as these for plazas, parking areas, driveways or walkways will help to provide an appropriate public environment for the historic district."
- 3) Chapter 10.A states, "The concrete sidewalks along Main Street should continue to be replaced with brick when possible. The uniform use of brick for these sidewalks will help to create an identifiable, attractive historic commercial area."
- 4) Chapter 10.A recommends, "When opportunities arise, replace concrete sidewalks with brick along Main Street between Ellicott Mills Drive and the Patapsco River."
- 5) Chapter 10.A recommends, "For plazas, driveways, parking lots, walkways and other paved areas, use stone or stone-like materials as alternatives to asphalt or concrete where practical."

While the proposed scored concrete sidewalks do not comply with the Guideline recommendations to replace the sidewalks with brick, the existing adopted design guidelines do not anticipate flood resilient materials and scenarios or account for high velocity floods and the corresponding shear stress on the infrastructure.

The proposed concrete sidewalks would comply with the goal of Chapter 10.A in that it would involve the uniform use of one material and would "create an identifiable, attractive historic commercial area." Some of the areas to be replaced are existing concrete sidewalks, which would be an in-kind replacement. By extending the use of concrete to other areas, it will help to maintain uniformity and a cohesive streetscape.

A review of historic photos shows that a variety of sidewalk materials have existed, such as brick (just barely visible) and concrete. These photos can be seen in Addendum A.

Chapter 10.C Parking Lots, Public Streets and Street Furniture, Street Furniture

- 6) Chapter 10.C recommends, "Improve consistency in design throughout the historic district for items such as street lights, traffic signals, public signage, trash receptacles, and other street furniture."

The recommendation for Chapter 10.C is not directly related to sidewalks, but emphasizes consistency in design, similar to the Guideline for Chapter 10.A which recommends "uniform use" of a material (albeit it recommends brick, which was the movement at the time the current guidelines were written). The previously existing sidewalks consisted of both brick and concrete and was not a consistent design throughout Main Street. The previously existing brick sidewalks were also a modern brick, and not an appropriate historic color.

Staff Recommendation to the HPC: Staff recommends the HPC determine if the proposal meets the intent of the Guidelines and make an approval based on that determination.

Testimony: Mr. Taylor said that a Petition for Declaratory Ruling and Motion for Sanctions had been filed in this case. Mr. Taylor asked if the applicant received a copy of the petition. Mark DeLuca stated that was correct. Mr. Taylor asked if Mr. DeLuca had any objection to the petition. Mr. DeLuca stated he could not comment on the petition as he had not been able to read it before the meeting. Mr. DeLuca said he was unaware of the content of the petition.

Mr. Roth moved to go into closed session for legal advice at 8:18. Mr. Reich seconded the motion. The motion was unanimously approved. Mr. Shad called the meeting back to order at 8:32pm. Mr. Shad said the Commission would be taking the petition under advisement and would respond to the petition at a later date. The Commission all agreed.

Mr. Shad swore in Mark DeLuca, the Deputy Director of Public Works; Tom McGilloway, with Mahan Rykiel; and Matthew Thomasson with RK&K.

Mr. DeLuca said they understood from the HPC's comments at the previous meeting, that the project area sets a precedent for Main Street. Mr. DeLuca clarified that this application was only for the area between Ellicott Mills to Hamilton Street, in order to get a resilient pavement in place. DPW will allow the Master Planning process to develop the architectural style of the sidewalks, which would then come to the Commission in the future for approval. Mr. DeLuca discussed the importance of resilient sidewalk materials and the master plan process.

Mr. McGilloway provided a recap of the proposal from the June meeting, explaining that at that time they wanted to eliminate uneven surfaces and focus on consistency, uniformity and resiliency. Mr. McGilloway explained the current conditions of the sidewalk materials along the length of Main Street, as requested by the Commission in June. He said the sidewalks along Main Street are about 38% brick now and prior to the 2016 flood it was 76% brick. He explained that granite curbing did not exist on Main Street before the 2016 flood and there was no granite there today. He showed a map concrete curb and gutter that was put in place after the 2016 flood. The map showed there are granite curbs on portions of the side streets. He showed photos of current condition and pre-2016 flood conditions.

Mr. McGilloway showed a map of the area between Ellicott Mills Drive and Hamilton Street that was subject to replacement and explained the proposed sidewalk materials. Mr. McGilloway explained that the current proposal as shown on Slide 27. The areas they are focusing on for the sidewalk repair is to fix the worst and most uneven surfaces. The yellow areas are where concrete will be replaced; these are areas that are primarily asphalt right now or a patchwork of material or small areas of brick. The areas shown in red are predominantly brick but that have some small areas of asphalt repair; these areas could be repaired with brick. By the Wine Bin it is mostly brick with a few areas of asphalt patches, those would be repaired with brick. In areas with significant amounts of asphalt and patchwork, it would be replaced with concrete. Mr. Reich said the Commission did not have a copy of the plan Mr. McGilloway was presenting. Mr. McGilloway explained that the plan was new for the presentation.

Mr. DeLuca clarified that although the presentation is focusing on the entire street and the master plan, the current proposal is only for work at Ellicott Mills Drive to Hamilton Street. Mr. DeLuca said if the sidewalk area is brick with some asphalt, it would be replaced with brick and that if the sidewalk was all asphalt, it would be replaced with concrete. Mr. Reich asked if Slide 27 was what DPW was seeking approval for. Mr. DeLuca said that was correct. The Commission and the applicants discussed the information presented regarding the replacement sidewalks, since the proposal was reduced in scope after the June meeting.

Mr. Reich said the Commission has to consider the application and felt by not having the proposal ahead of time the Commission did not have adequate information to make a decision on the proposal. Ms. Holmes stated that the area in question was included in the original application, so the area is not new. Mr. McGilloway explained that the only new proposal is that DPW is proposing to repair some of the sidewalks in-kind, with brick. The concrete areas are the same as the previous submittal from June, there are just fewer areas where concrete will be installed. Mr. McGilloway said their proposal was not

different, only scaled back in scope. Ms. Burgess clarified that the current proposal shows more brick remaining.

Mr. Taylor asked the applicant which number slide the sidewalk diagram was on. Mr. McGilloway said slide 27. Mr. Taylor asked if the applicant was amending the application as discussed relative to slide 27 as relative to the Commission's comments; from the original application to this particular slide. Mr. DeLuca said that was correct.

Mr. Roth said the Commission did not have a written version of the application describing the work, only a power point slide and a verbal description. Ms. Zoren said that what the applicants are presenting relates to the comments the Commission gave the applicants at the last meeting, when the Commission stated they preferred brick.

Mr. McGilloway continue to explain the role of the Master Plan, which will review the whole scope of Main Street including curb, pavement, and construction of roadway. Mr. McGilloway discussed that once flood mitigation efforts are completed the sidewalks could be replaced with brick pavers set in sand, as they are currently set. Mr. McGilloway said he did not think the brick and mortar application was appropriate or historic looking and described the repair problems using brick embedded in concrete.

The Commission and the applicants discussed the approximate timeframe to get flood mitigation efforts completed for resiliency. The Commission and applicants discussed that there are other surface in poor condition in the mid to lower part of Main Street that will need to be addressed for ADA and to eliminate trip hazards. Mr. DeLuca said the plan is to come back with these areas one step at a time.

Mr. Shad asked for the definition of temporary, stating it could be 8 or 10 years. Mr. DeLuca said that was true. Mr. DeLuca discussed the Master Plan with the Commission, explaining that the Master Plan may propose other changes, such as altering curb lines, that the County needs to consider and explained the reasons why concrete sidewalks are beneficial with the unknown future plans.

Mr. Roth encouraged the applicant to ensure that the master plan was not in conflict with the Historic District Design Guidelines. The Commission expressed their concern with the Historic District Guidelines and Master Plan being updated without consideration to the other. The Commission would prefer the Master Plan team work with the Commission to have the Guidelines updated to be harmonious with the Master Plan.

Mr. McGilloway restated the application for review was to eliminate the patchwork of sidewalk materials and the Master Plan team agreed it made sense to use brick on the northside of the street and concrete on the south side. Mr. Roth said the Commission receives guidance from the Guidelines and the Guidelines state concrete should be replaced with brick when possible. Mr. Roth wanted the applicants to explain why brick is not possible in three areas. Mr. McGilloway said it was because of resiliency until the flood mitigation efforts are finalized; DPW needs to use the most reliable materials until the flood mitigation efforts are complete. Mr. Roth asked if the justification for not using brick is because the flood mitigation is not yet in place and the risk of replacing the sidewalks with brick is too high compared to concrete in the event of another flood. The applicants said the main reason is the resiliency of the concrete.

Cross Examination

Mr. Shad swore in Joel Hurewitz, who was in opposition of the application. Mr. Hurewitz asked the applicants a variety of questions about the exact locations of the scope of work, such as the pile of

rumble at St. Luke's Wall and Ellicott Mills Drive; and whether there were historic materials by the Ellicott Mills Drive culvert. Mr. McGilloway said the Master Plan team responded to the June Advisory Comments and scaled the scope of work back to the areas that needed to be addressed immediately. Mr. DeLuca said the culvert was completely destroyed and is being reconstructed.

Mr. Hurewitz asked about the concrete bands next to buildings. Mr. McGilloway said there would still be a score line cut into the concrete that allows the concrete to be repaired or replaced without having to work right up to the buildings. Mr. Hurewitz asked the applicants to respond to the Commissioners comments about updating the Historic District Guidelines and if they agree that the Master Plan needs to be in compliance with the Guidelines. Mr. DeLuca agreed.

Mr. Hurewitz asked questions regarding the proposed London pavers scoring pattern and if the Master Plan team had considered other pavers. Mr. McGilloway said other pavers had been considered for the Master Plan, but not for this application. Mr. Hurewitz asked if other colors or Bomanite had been considered for the sidewalks. Mr. McGilloway said the proposal is for the same color additive that was used in the sidewalk next to the historic courthouse.

Mr. Shad asked if there was anyone else that would like to ask any questions in the cross examination. Mr. Shad swore in Joseph Rutter. Mr. Rutter asked the applicants if the three areas shown on slide 27 are consistent with the application materials shown on June 6, 2019 meeting. Mr. McGilloway said yes. Mr. Rutter said there were five areas needing repair/replacement with brick. Mr. Rutter asked if that replacement is in-kind, meaning they were replacing what was previously there. Mr. McGilloway said yes, they were replacing what there before. Mr. Rutter asked why the Commission was being presented routine maintenance as the Commission does not give ruling on routine maintenance. Mr. Rutter said the orange area on slide 27 should not be included in the application as the applicants have every right to perform routine maintenance. Mr. McGilloway explained the orange area was included in the presentation to show the proposal was a scaled back version of the June application.

Public Testimony

Mr. Shad asked if there was anyone else that would like to speak or ask questions of the applicant. Mr. Taylor said if there were no other questions specifically for cross examination for the applicant, it would be the time for people who are in support of the application to either stand and signal their support or allow a spokesperson or two to represent the audience's position. Fifteen people in yellow safety vests stood in support of the application being presented to the Commission. Mr. Shad asked if anyone in the audience would like to speak on behalf of the public in support of the application.

Mr. Shad swore in Ron Peters. Mr. Peters spoke in support of the application and getting the sidewalks replaced. Mr. Peters said he was unable to find references in books about historic Ellicott City that depict brick sidewalks, citing photos from the 1920s, 1930s and 1940s that all showed concrete. Mr. Peters wants the sidewalks replaced and the asphalt safety hazards eliminated. He shared examples of the asphalt heaving and creating hazards now that the asphalt has been in place for three years. Mr. Peters presented an exhibit of pictures he found on Ellicott City showing concrete sidewalks at various locations. Mr. Peters said the sidewalks could have been cobblestone. Mr. Hurewitz did not object to the exhibits presented. Mr. Hurewitz had no questions for Mr. Peters.

Mr. Reuwer was previously sworn in. Mr. Reuwer explained the history of the brick sidewalk installation on Main Street and how the County shared the cost with the property owners. Mr. Reuwer explained that his buildings have been damaged from the floods due to the brick washing out and described the damage incurred to the foundation of the Taylor's building after the 2016 flood, when all of the bricks in front of the building washed out and blew a hole in the basement back wall. The building was

condemned until a structural engineer repaired the damage. He explained damage that occurred after the 2018 flood when the asphalt washed out and destroyed the gas and sewer lines. Mr. Reuwer said the buildings of Ellicott City are historic, not the sidewalks and as long as the asphalt remains in place, it is putting all of the buildings in danger. He requested approval for resilient sidewalks. Mr. Hurewitz had no questions for Mr. Reuwer.

Mr. Rutter was previously sworn in. Mr. Rutter explained his history with owning and investing in multiple properties in Ellicott City. Mr. Rutter said he remains invested because he believes Ellicott City needs to be a centerpiece for the County. Mr. Rutter asked for a decision and for the Commission to consider and approve the three small areas with temporary fixes to get the infrastructure in. He stated the Ellicott City businesses cannot afford to have operations where the public does not feel comfortable walking up and down Main Street. Mr. Rutter said that if the Commission wants to deny the application then the business owners can make their decision if they want to continue to invest in Main Street. Mr. Hurewitz had no questions for Mr. Rutter.

Mr. Shad swore in Cindi Ryland. Ms. Ryland agreed with the previous public testimony. Ms. Ryland explained her experience of being trapped in the Taylors Building during the afternoon of the second flood. Ms. Ryland said she saw bricks dislodging from their sand base hitting into store windows and washing down the street creating dams. Ms. Ryland said she was not sure brick was historically correct materials for sidewalks and that it was probably dirt and wood materials originally. Mr. Hurewitz had no questions for Ms. Ryland.

Protestants Case

Mr. Hurewitz said the Guidelines need to be updated to work with the Master Plan and flooding concerns. Mr. Hurewitz suggested the County look at stamped concrete and asphalt which can be installed in patterns. Mr. Hurewitz suggested thermoplastic coating in cobblestone as an alternative for sidewalk material.

Mr. Shad told Mr. Hurewitz that the Commission was not discussing changing or modifying the Guidelines at the current meeting. The Commission is looking only at a small section of sidewalk to be patched with concrete and replacing some sidewalk with brick in-kind.

Mr. Hurewitz said the Commission had problems with the concrete color and showed several examples of different colored sidewalks in a presentation he had projected for the Commission. Mr. Hurewitz referenced the stamped concrete at Miller Library as an example and said there were more options for sidewalk materials than DPW presented. Mr. Shad said the Commission would need to consider more sidewalk materials if this had been a permanent solution, but the Commission is only reviewing a temporary replacement. The Commission and staff discussed stamped concrete and the design guidelines. Mr. Hurewitz suggested a concrete brick embossed pattern which is used in other areas around the County.

Mr. Taylor said the photographs Mr. Hurewitz was presenting needed to become exhibits on the record and Mr. Hurewitz needed to decide which pictures would be considered evidence and which would not.

Mr. Hurewitz showed bomanite material examples. Mr. Hurewitz referenced a document of called Streetprint and DuraTherm, nine pages in length he found on a website depicting decorative asphalt. Mr. Taylor asked if Mr. Shad would allow this exhibit to be entered into the record. Mr. Shad said he would allow one or two alternatives but not more than that. Mr. Taylor asked Mr. Hurewitz to limit his exhibits to alternative materials. Mr. Hurewitz agreed. Mr. Taylor entered Streetprint, nine pages as Exhibit 1.

Mr. Hurewitz said his presentation was to provide alternative solutions to the options presented by the applicants and were alternatives currently used in the County and other areas in the country. Mr. Hurewitz said there is a way to compromise on the sidewalks with getting the look of brick but the resiliency of concrete. Mr. Shad explained that when the Commission updates the Guidelines there will be opportunity for public testimony.

Mr. Shad said that Mr. Hurewitz could now be cross examined and asked questions if anyone wanted to ask him questions. No one in the audience wanted to ask questions. The Commission allowed for additional public testimony.

Public Testimony

Ms. Walsh was already sworn in. Ms. Walsh presented an exhibit to the Commission. Mr. DeLuca did not object to the exhibit, which was marked Walsh Exhibit 1. Ms. Walsh described the exhibit as depictions of stamped concrete, stamped tinted concrete, and stamped tinted asphalt. She said that in areas where it is not possible to replace with brick the applicants were not proposing stamping and tinting concrete, which would most replicate the aesthetic the community is trying to maintain.

Ms. Walsh said there are businesses within her district that will be permanent and there is a need for sidewalks to be safe and not be tripping hazards. She said the brick sidewalks on the north side of the street were resilient, but cutting into the brick for utility repairs was the failure which called for the replacement with asphalt. Ms. Walsh said she felt the area on the north side of the street can be replaced with brick as there were only utility cuts made in that area. The south side of the street did have damage and it makes sense to have that side of the street more resilient. Ms. Walsh asked why it was not possible to make temporary concrete emulate the aesthetic in the Guidelines.

Mr. Taylor asked what was included in Walsh Exhibit 1. Ms. Walsh said it was 14 pages in length, two slides per page, two categories of concrete and asphalt, of two applications pulled from manufactures or other installations that other jurisdictions have used; it is not pavers that are set in sand or mortar, the exhibit shows materials that can be tinted and can vary in texture, the surface and the grout to look more like brick than London pavers or scored concrete sidewalk will look like. Mr. Shad accepted the exhibit.

Mr. Roth explained that the applicant said for these three areas it was not possible to replace with brick because it is not resilient until such a time the mitigation takes place and not navigable for public due to ADA. Mr. Roth asked if Ms. Walsh had a counter argument for why any of those three areas could be replaced with brick. Ms. Walsh said DPW presented two sections on the south side of Main Street and one on the north side of Main Street that were to be replaced with concrete. The north side of the street was largely intact after the flood but excavated because of utility repair. Ms. Walsh said she thinks the brick sidewalk on the northern side of the street could be replaced in-kind with brick there. Ms. Walsh said the anticipated forces both before and after the flood mitigation shows that northern area proposed with concrete replacement is not where damage will be sustained.

Mr. Roth asked if Ms. Walsh is offering an alternative to the proposed concrete to be concrete shaped to look like brick as a better appearing and equally historical alternative. Ms. Walsh said yes, it will have a similar aesthetic.

Applicant's Rebuttal

Mr. DeLuca said in the case of brick where the utility repairs disrupted the brick pattern and was replaced with asphalt, the applicants are proposing repairing the sidewalk in-kind with brick.

Mr. Roth said there are three areas the applicants are planning on replacing the sidewalk with concrete. Mr. DeLuca confirmed that was correct. Mr. Roth said one of those areas was on the north side of the street, and Ms. Walsh said that area could be replaced with brick. Mr. Roth asked if Mr. DeLuca agreed with Ms. Walsh's assessment. Mr. DeLuca said on slide 27 it is apparent from the existing patchwork of material why DPW is proposing to replace with concrete.

Mr. DeLuca said DPW stopped using stamped concrete and stamped asphalt in cross-walks because the material wears out. Mr. DeLuca said in certain applications where there is not a lot of traffic or pedestrian traffic the stamped concrete and asphalt work well. Mr. DeLuca said he did not think that stamped concrete or asphalt would be accepted by the Commission because of the Guidelines, whether it be aesthetic or historic reasons, which is why the stamped concrete and asphalt had not been considered by the applicants in their proposals. The applicants try to use a natural material for a better result in product and durability.

Mr. Roth asked in the area of the north side of the street between the Wine Bin and Court Avenue, why is it more appropriate to replace the sidewalk with concrete. Mr. McGilloway said in the pre-2016 conditions were already mostly in concrete. Mr. Roth said that the sidewalk is not a replacement in-kind. Mr. McGilloway said in that section of sidewalk, there is one area that is brick that the applicants were proposing to change to concrete to eliminate the patchwork of materials but most of the area of the sidewalks was concrete prior to the 2016 flood with driveway cuts.

Ms. Tennor said she agreed with staff and the consultants that if the application of concrete material was to be used, it should look like concrete. Ms. Tennor said she would prefer the use of an additive to make the concrete less bright white and fit in with the environment better, but it was not in the spirit of the Guidelines to make concrete look like brick. If the materials are concrete, it should be concrete. She said that using a scoring pattern does not make the concrete look like something else. Mr. McGilloway clarified the scoring pattern for the London paver was not a stamped pattern but a score line in that pattern. He said that during the Master Plan process, the applicants received feedback not to use materials that were inauthentic and trying to look like something they were not. Ms. Tennor said she agreed with that sentiment.

Protestant Rebuttal

Mr. Hurewitz said DPW pointed out they did not think the Commission would consider an alternative stamping because it did not meet the Guidelines. Mr. Hurewitz agreed with Ms. Walsh's comments regarding the north side of Main Street having brick replacement, as it held up during the flood.


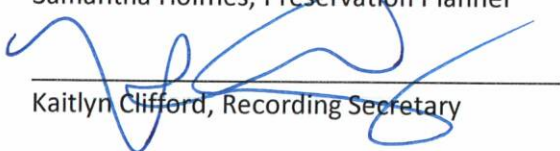
Mr. Reich discussed the Guidelines, specifically Chapter 10.A. He summarized that this may be a situation where it is not possible to replace the sidewalks with brick, and it is a temporary situation. He explained that there are other places within the Guidelines that allow for other alternatives in specific situations. Mr. Reich said the Commission encourages brick and the Guidelines clearly state replace concrete with brick sidewalks, but this situation is a temporary measure necessary because of the floods and necessary because the County needs to replace all the less temporary sidewalk materials that are already there.

Mr. Roth said the Commission should put qualifications and justifications on their determination. Mr. Roth and Mr. Reich discussed whether or not to do this against the temporary measures needed and the Guideline updates. The Commissioners discussed formulating a motion.

Motion: Mr. Roth moved to approve the applicant's submission to replace three areas with concrete as illustrated on slide 27; and as detailed in terms of color and scoring in the June application. Ms. Tennor seconded. The motion was unanimously approved.

Mr. Roth moved to adjourn the meeting at 10:56pm. Ms. Tennor seconded. The motion was unanimously approved.

*Chapter and page references are from the Ellicott City or Lawyers Hill Historic District Design Guidelines.


Allan Shad, Chair
Beth Burgess, Executive Secretary
Samantha Holmes, Preservation Planner
Kaitlyn Clifford, Recording Secretary